



Att'y Dkt. No. US-111
U.S. App. No. 10/673,860

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kikuchi et al

Appl. No.: 10/673,860

Filing Date: September 30, 2003

Title: METHODS FOR SECRETORY
PRODUCTION OF PROTEINS

Art Unit: 1632

Examiner: to be assigned

Atty. Docket: US-111

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐c. Attached is our check no. _____ in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐4. Relevance of the non-English language document(s) is discussed in the present specification. See pages _____ of the specification of the present application.

☐5. The document(s) was/were cited in a corresponding foreign application. ☐ A copy of a search report issued in the foreign application is attached. ☐ An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).


☒6. A concise explanation of the relevance of the non-English language document(s) ☒ is attached hereto or ☐ appears below.

- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Other: _____

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully submitted,

By: _____


Shelly Guest Cermak
Reg. No. 39,571

Date: 1-8-04

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PATENT TRADEMARK OFFICE

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FORM PTO 1449	ATTY. DKT. NO.:US-111	APP. NO.:10/673,860
	APPLICANT(S):Kikuchi et al	
	FILING DATE: September 30, 2003	Group Art Unit: 1632

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB'N DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	USP 6,090,607	18 Jul. 2000	Van Den Broek et al	435	223	1 May 1998
	USP 4,965,197	23 Oct. 1990	Liebl et al	435	69.8	5 Dec 1989
	USP 4,822,738	18 Apr. 1989	Miwa et al	435	252.3	21 Dec. 1987
	USP 5,547,864	20 Aug. 1996	Kawasaki et al	435	170	13 Jan. 1994
	USP 6,027,920	22 Feb. 2000	Joliff et al	435	69.7	31 Jul 1995

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	JP10108675	28 Apr 1998	Japan	C12N	15/09	<input type="checkbox"/> Yes <input type="checkbox"/> No
	JP11169182	29 Jun 1999	Japan	C12N	15/09	<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No


OTHER (Including Author, Title, Date, Pertinent Pages, Publisher, etc.)

	Helen Billman-Jacobe et al., Expression and Secretion of Heterologous Proteases by Corynebacterium glutamicum, Journal of Bacteriology, Mar. 1992, p. 1854-1861, Vol. 174, No. 6
	Wolfgang Liebl et al., Expression, Secretion, and Processing of Staphylococcal Nuclease by Corynebacterium glutamicum, APPLIED AND ENVIRONMENTAL MICROBIOLOGY, Apr. 1995, p. 1610-1613, Vol. 61, No. 4
	K. Salim et al., Heterologous Expression of the Mycobacterium tuberculosis Gene Encoding Antigen 85A in Corynebacterium glutamicum, APPLIED AND ENVIRONMENTAL MICROBIOLOGY, Nov. 1997, p. 4392-4400, Vol. 63, No. 11
	Kinya Washizu et al., Molecular Cloning of the Gene for Microbial Transglutaminase from Streptovorticillium and Its Expression in Streptomyces lividans, Biosci. Biotech. Biochem., 58(1), 82-87, 1994
	Shino Takihana et al., Chemical Synthesis of the Gene for Microbial Transglutaminase from Streptovorticillium and Its Expression in Escherichia coli, Biosci. Biotech. Biochem., 58(1), 88-92, 1994
	R Duran et al., Purification, characterization, and gene cloning of transglutaminase from Streptovorticillium

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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<u>INFORMATION DISCLOSURE STATEMENT</u> 	APPLICANT(S):Kikuchi et al	
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	Cinnamomeum CBS 683.68, Biochimie (1998) 80, 313-319
	Ralf Pasternack et al., Bacterial pro-transglutaminase from Streptovercillium mobaraense Purification, characterization and sequence of the zymogen, Eur. J. Blochem. 257, 570-576 (1998)
	J. L. Peyret et al, Characterization of the cspB gene encoding PS2, an ordered surface-layer protein in Corynebacterium glutamicum, Molecular Microbiology (1993) 9(1), 97-109

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